

REMARKS

Reconsideration and allowance are requested. Claims 1 - 16 were pending in the outstanding Office Action. Applicants have amended claims 1, 8 and 10 - 14 and canceled claim 7.

Rejection of Claims 1 - 6 and 11 - 13 Under Section 112

The Examiner rejected claims 1 - 6 and 11 - 13 under Section 112. Applicant has amended claims 1, 5 and 10 - 13 to overcome the antecedent basis issues set forth by the Examiner. None of the antecedent basis amendments narrow the scope of the claims. Further, the amendment to claim 11 regarding the receiver window size merely clarifies the claim language and does not narrow the claim scope. The amendments to claims 12 - 13 merely correct the claim dependency and are not made for patentability and do not narrow the claim scope. Accordingly, Applicants submit that claims 1 - 6 and 11 - 13 are now patentable and in condition for allowance.

Rejection of Claims 7, 9 - 10 and 14 - 16 Under Section 102

The Examiner rejects claims 7, 9 - 10 and 14 - 16 under Section 102(e) in view of U.S. Patent No. 6,105,064 to Davis et al. ("Davis et al."). Applicants have amended claim 8 to include the limitations of the base claim. Thus, the scope of claim 8 is not narrowed by this amendment. Further, claims 9 and 10 have been amended to depend from claim 8. Therefore, inasmuch as claim 8 is patentable, dependent claims 9 and 10 are patentable as well.

Claim 14 is amended to recite a receiving device that receives information about the protocol including a second window size of the receiver, the second window

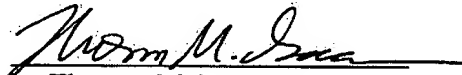
size being based on an error condition of transmitted data segments. Inasmuch as the Examiner has indicated allowance of other claims having this limitation (see amended claim 8), Applicants submit that this claim 1s allowable as well as its dependent claims 15 and 16.

CONCLUSION

Having addressed the rejection of claims 1 - 16, Applicants respectfully submit that claims 1 - 6 and 8 - 16 are in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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